



Montana Legislative Services Division
Legal Services Office

TO: State Administration and Veterans' Affairs Interim Committee

FROM: K. Virginia Aldrich

DATE: July 16, 2015

RE: Legislative Administrative Rule Review Report

Pursuant to 5-5-228, MCA, the State Administration and Veterans' Affairs Interim Committee is responsible for reviewing administrative rules within its jurisdiction. Staff for the State Administration and Veterans' Affairs Interim Committee has prepared this report for informational purposes only. This report does not represent any action or opinion of the State Administration and Veterans' Affairs Interim Committee and does not preclude additional action that may be taken by the State Administration and Veterans' Affairs Interim Committee pursuant to its authority under the Montana Administrative Procedure Act (Title 2, chapter 4, MCA).

MAR NOTICE NUMBER: 44-2-205

AGENCY/BOARD: Secretary of State

RULE CLASSIFICATION: (e.g. substantive/interpretative/emergency/temporary):
Substantive

SUBJECT: Long-term record storage requirements for electronically stored records

NOTICE DESCRIPTION: (e.g. proposal notice/adoption notice): Notice of proposed amendment

SUMMARY OF RULE(S): The Secretary of State, after a recommendation by the Local Government Records Committee (which is charged by section 2-6-403, MCA, to "approve, modify, or disapprove proposals for local government records retention and disposition schedules"), proposes to amend one rule concerning storage requirements for electronically stored documents that are to be retained for more than 10 years. Under the current rule, long-term documents stored electronically must also be stored in paper form or on archival quality microfilm. The proposed rule eliminates this requirement and adopts by reference the Association of Records Managers & Administrators International's Generally Accepted Recordkeeping Principles®, which include principles of accountability, integrity, protection, compliance, availability, retention, disposition, and transparency for local governments using electronic systems to store long-term records. The rule states that local governments should use these principles "as the framework to design, implement, operate, and decommission the systems and to manage the records and data"

NOTES: A public hearing is scheduled on the above-referenced rule on August 6, 2015, at 9:30 a.m. in Room 260, State Capitol Building, Helena, Montana. The public comment period ends on August 14, 2015.

FULL TEXT OF NOTICE: The full text of the notice proposal may be found online at <http://www.mtrules.org/gateway/ShowNoticeFile.asp?TID=6492>

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